



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JJD/SDD/MPC  
F. #2013R00227

*610 Federal Plaza  
Central Islip, New York 11722*

April 8, 2014

By Federal Express  
Marc Bogatin, Esq.  
277 Broadway, Suite 900  
New York, New York 10007

Re: United States v. Marcos Alonso Zea  
Criminal Docket No. 13-072 (S-1)(ADS)

Dear Mr. Bogatin:

Enclosed please find the following supplemental discovery materials, which are being provided in accordance with Rule 16 of the Federal Rules of Criminal Procedure:

- Disk-37, which includes Bates-numbered copies of the following materials:
  - A Spring 2014 issue of *Inspire* magazine, which includes a reference and photograph of the defendant on page four, bates numbers 000408-000444;
  - Copies of the U.S. Department of State designations of al-Qaeda in the Arabian Peninsula (AQAP), January 19, 2010, and Ansar al-Sharia (AAS), October 4, 2012, as "Foreign Terrorist Organizations", bates numbers 000445-000446;
  - Paperwork and photographs of a .22 caliber rifle purchased by the defendant and subsequently recovered by law enforcement authorities, bates numbers 000447-000459;
  - 246 images, including photographs of a number of al-Qaeda leaders, and 10 internet searches recovered from the defendant during the investigation, bates numbers 000460-000722 ;
  - Images from the defendant's Facebook page, bates numbers 000723-000746;
  - Subscriber and call detail records for telephone number (631) 316-4746 from February 28, 2011 to February 28, 2012, bates numbers 000747-000847;
  - Declassified/redacted copies of FBI reports dated November 28, 2012, December 10, 2012, December 13, 2012, January 3, 2013, January 11, 2013, January 16, 2013 and January 23, 2013, which attach copies of email communication between co-conspirator Justin Kaliebe and an undercover law enforcement officer, who was referred to in the Kaliebe complaint as "UC-2", bates numbers 000848-000914;

- Declassified/redacted copies of FBI reports summarizing meetings<sup>1</sup> between the defendant and/or Justin Kaliebe and an undercover law enforcement officer on 7/18/12, 7/26/12, 8/22/12, 8/31/12, 9/4/12 (typographical error on report date), 9/7/12, 9/10/12, 9/12/12, 9/14/12, 9/20/12, 9/24/12, 9/27/12, 10/1/12, 10/5/12, 10/9/12, 10/10/12, 10/17/12, 10/24/12, 10/31/12, 11/20/12, 11/26/12, 12/3/12, 12/5/12, 12/7/12 (two reports), 12/10/12, 12/11/12, 12/14/12 (two reports), 12/21/12, 12/28/12, 12/31/12, 1/4/13, 1/11/13, 1/14/13, 1/16/13, 1/18/13 (two reports), bates numbers 000915-000991;
  - Documents prepared in connection with the defendant's attempted travel to Yemen in January 2012, bates numbers 000992-001022.
- Disk-38, which includes six videos recovered from the defendant during the course of the investigation.
  - Disk-39, which contains an audio recording of an April 19, 2013 telephone conversation between the defendant and an associate of his during the course of the investigation.

As set forth in the government's December 3, 2013 discovery letter, the government is in possession of five of the defendant's hard drives. If you provide the government with two new, blank hard drives with at least 250GB and 40 GB of memory, respectively, the government will provide you with a complete, mirror image of the hard drives, and an FTK report for analysis performed on the five hard drives. Alternatively, you may review the government's copies of such materials at the United States Attorney's Office.

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<sup>1</sup> Where applicable, the recordings and transcripts of these meetings previously were disclosed. Additional reports prepared by the FBI and NYPD will be provided under separate cover.

All of the enclosed discovery materials are subject to the Stipulation and Order executed by the Court and the parties on November 15, 2013. The government renews its request for reciprocal discovery. If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney

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Assistant U.S. Attorneys

Enclosures

cc: Clerk of the Court (ADS) (by ECF) (without enclosures)